

# **State of Illinois 91st General Assembly Final Senate Journal**

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SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIRST GENERAL ASSEMBLY

67TH LEGISLATIVE DAY

THURSDAY, JANUARY 27, 2000

9:00 O'CLOCK A.M.

No. 67

[Jan. 27, 2000]

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The Senate met pursuant to adjournment.  
Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.  
Prayer by Reverend Richard Ahlgrim, Berean Baptist Church,  
Springfield, Illinois.  
Senator Radogno led the Senate in the Pledge of Allegiance.

Senator Myers moved that reading and approval of the Journal of  
Wednesday, January 26, 2000 be postponed pending arrival of the  
printed Journal.

The motion prevailed.

## **REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

The Fiscal Year 1999 Annual Report, January 24, 2000, submitted by the Illinois Commission on Intergovernmental Cooperation.

A Cumulative Report on the Summary of Approved Waivers and Modifications submitted by the State Board of Education as required by 105 ILCS 5/2-3.25g.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

#### REPORTS FROM STANDING COMMITTEE

Senator Klemm, Chairperson of the Committee on Executive to which was referred **Senate Bills numbered 1277 and 1321** reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Klemm, Chairperson of the Committee on Executive to which was referred **Senate Bill No. 1283** reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Klemm, Chairperson of the Committee on Executive, to which was referred **Senate Resolution No. 203** reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution 203** was placed on the Secretary's Desk.

At the hour of 9:13 o'clock a.m., Senator Geo-Karis presiding.

#### INTRODUCTION OF BILLS

**SENATE BILL NO. 1530.** Introduced by Senator Sullivan, a bill for AN ACT to amend the Illinois Pension Code and the State Mandates Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1531.** Introduced by Senator Dillard, a bill for AN ACT in relation to secured transactions.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

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**SENATE BILL NO. 1532.** Introduced by Senator Cronin, a bill for AN ACT to amend the Juvenile Court Act of 1987 by changing Section 5-905.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1533.** Introduced by Senator Parker, a bill for AN ACT to amend the Illinois Marriage and Dissolution of Marriage Act by adding Section 604.5.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1534.** Introduced by Senator Mahar, a bill for AN ACT to amend the Hospital Licensing Act by adding Section 14.5.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1535.** Introduced by Senator Dillard, a bill for AN ACT to amend certain Acts in relation to accidental injuries.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1536.** Introduced by Senator Luechtefeld, a bill for AN ACT to amend the School Code by changing Section 18-8.05.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1537.** Introduced by Senator Watson, a bill for AN ACT concerning the Illinois prepaid tuition program.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1538.** Introduced by Senator Watson, a bill for AN ACT to amend the Higher Education Student Assistance Act by changing Section 35.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1539.** Introduced by Senator Watson, a bill for AN ACT to amend the Illinois Procurement Code by adding Section 30-50.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1540.** Introduced by Senator Cronin, a bill for AN ACT to amend the Solicitation for Charity Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1541.** Introduced by Senator Maitland, a bill for AN ACT to amend the Public Utilities Act by adding Section 8-505.1.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1542.** Introduced by Senator O'Daniel, a bill for AN ACT in relation to coal.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1543.** Introduced by Senator Lauzen, a bill for

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AN ACT to amend the Criminal Code of 1961 by re-enacting and changing Section 24-1.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1544.** Introduced by Senator del Valle, a bill for AN ACT to amend the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act by changing Section 3.15.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1545.** Introduced by Senator del Valle, a bill for AN ACT to amend the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois by adding Section 2310-338.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1546.** Introduced by Senator Dillard, a bill for AN ACT to amend the Property Tax Code by changing Section 12-55.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1547.** Introduced by Senator Radogno, a bill for AN ACT to amend the Illinois Public Aid Code by changing Section 5-2.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1548.** Introduced by Senator Dillard, a bill for AN ACT in relation to civil liabilities.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1549.** Introduced by Senator Dillard, a bill for AN ACT to amend the Criminal Code of 1961 by changing Section 33A-2.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1550.** Introduced by Senator T. Walsh, a bill for AN ACT to amend the Liquor Control Act of 1934 by changing Section 6-15.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1551.** Introduced by Senator Lightford, a bill for AN ACT concerning electronic fund transfer terminal access fees.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1552.** Introduced by Senator Lightford, a bill for AN ACT in relation to credit card marketing information disclosure.

The bill was taken up, read by title a first time, ordered

printed and referred to the Committee on Rules.

**SENATE BILL NO. 1553.** Introduced by Senator Jacobs, a bill for AN ACT to amend the Environmental Protection Act by adding Section 21.7.

The bill was taken up, read by title a first time, ordered

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printed and referred to the Committee on Rules.

**SENATE BILL NO. 1554.** Introduced by Senator Munoz, a bill for AN ACT to prohibit exclusive contracts for hospital services of physicians.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1555.** Introduced by Senator Munoz, a bill for AN ACT to amend the Civil Administrative Code of Illinois.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1556.** Introduced by Senator Munoz, a bill for AN ACT in relation to controlled, counterfeit, and look-alike substances.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1557.** Introduced by Senator R. Madigan, a bill for AN ACT to amend the School Code by changing Section 7-2.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1558.** Introduced by Senator Cronin, a bill for AN ACT concerning substitute certificates.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1559.** Introduced by Senator O'Malley, a bill for AN ACT to amend the School Code by changing Section 17-2C.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1560.** Introduced by Senator T. Walsh, a bill for AN ACT to amend the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1561.** Introduced by Senator T. Walsh, a bill for AN ACT to amend the Illinois Horse Racing Act of 1975 by changing Section 20.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1562.** Introduced by Senator T. Walsh, a bill for AN ACT to amend the Township Code by changing Section 250-5.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1563.** Introduced by Senator Peterson, a bill for AN ACT to amend the Illinois Income Tax Act by changing Section 304.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1564.** Introduced by Senator Peterson, a bill for AN ACT to amend the Property Tax Code by changing Section 1-55.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

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**SENATE BILL NO. 1565.** Introduced by Senators Peterson - Obama - Radogno - Clayborne - Sullivan, Ronen, O'Malley, Welch and Karpiel, a bill for AN ACT to amend the Illinois Income Tax Act by adding Section 212.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1566.** Introduced by Senator Halvorson, a bill for AN ACT regarding mental health services.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1567.** Introduced by Senator Silverstein, a bill for AN ACT to amend the Illinois Power of Attorney Act by adding Section 2-7.5 and by changing Section 3-3.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1568.** Introduced by Senator L. Madigan, a bill for AN ACT in relation to education funding.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1569.** Introduced by Senator Jacobs, a bill for AN ACT to amend the Counties Code by changing Section 3-5018.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1570.** Introduced by Senator Petka, a bill for AN ACT concerning a community scholarship foundation program.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1571.** Introduced by Senator Petka, a bill for AN ACT concerning municipal officers and firearms.

The bill was taken up, read by title a first time, ordered

printed and referred to the Committee on Rules.

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES  
A FIRST TIME**

**House Bill No. 2917**, sponsored by Senator Watson was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 2940**, sponsored by Senator Cronin was taken up, read by title a first time and referred to the Committee on Rules.

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME**

On motion of Senator Dudycz, **House Bill No. 2883** was taken up, read by title a second time and ordered to a third reading.

**INTRODUCTION OF BILLS**

**SENATE BILL NO. 1572.** Introduced by Senator O'Malley, a bill for AN ACT to amend the Illinois Municipal Code by changing Section 8-11-2.

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The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1573.** Introduced by Senator Hendon, a bill for AN ACT to amend the Criminal Code of 1961 by changing Section 24-1.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1574.** Introduced by Senator Hendon, a bill for AN ACT to amend the Criminal Code of 1961 by changing Section 24-1.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1575.** Introduced by Senator Hendon, a bill for AN ACT to amend the Criminal Code of 1961 by changing Section 24-1.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1576.** Introduced by Senators Jacobs - Rauschenberger - Smith, a bill for AN ACT in relation to hypodermic syringes and needles.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1577.** Introduced by Senator O'Malley, a bill for AN ACT creating the Southwest Suburban Railroad Relocation and Redevelopment Authority.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

#### **PRESENTATION OF RESOLUTIONS**

##### **SENATE RESOLUTION NO. 274**

Offered by Senator O'Malley and all Senators:  
Mourns the death of John D. Kettman of Palos Park.

The foregoing resolution was referred to the Resolutions Consent Calendar.

Senator Obama offered the following Senate Joint Resolution, which was referred to the Committee on Rules:

##### **SENATE JOINT RESOLUTION NO. 51**

WHEREAS, Trains in Chicago and throughout the suburbs have created a nuisance and public safety hazard to residents; and

WHEREAS, Residents of the southwest side of Chicago and the south suburbs have been particularly plagued by problems of trains blocking intersections for long periods of time and the loud noises of trains that are a nuisance at night near their homes; and

WHEREAS, In the case of trains blocking intersections, some residents, such as those in Blue Island, are cut off from public safety services for long periods of time because trains are blocking the only entryway into their neighborhood; and

WHEREAS, Congress has the authority to regulate train horns and trains stalled in intersections and the authority to pre-empt state and local governments in this area, but it has delegated its authority to the Secretary of Transportation; and

WHEREAS, The United States Code, Title 49, Section 20134, gives the Secretary of Transportation the power to "develop and carry out

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solutions to the railroad grade crossing problem and measures to protect pedestrians in densely populated areas along railroad rights of way"; and

WHEREAS, The United States Code, Title 49, Section 20153(e), specifically instructs the Secretary to "promote the quiet of communities affected by rail operations" in promulgating regulations, and the statute allows the Secretary of Transportation to suspend the sounding of the horn at railroad crossings if other, as effective, safety means can be developed and demonstrated; and

WHEREAS, Section 20153(i) of Title 49 of the United States Code instructs the Secretary to "work in partnership with affected communities to provide technical assistance and..a reasonable amount of time for the local communities to install supplementary safety measures, taking into account local safety initiatives (such as public awareness initiatives and highway-rail grade crossing traffic law enforcement programs)"; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING



HEREIN, That we petition the United States Secretary of Transportation to invoke this authority to prevent trains from blocking intersections, because the blocking of intersections poses safety hazards to residents and vehicles; and be it further

RESOLVED, That we urge the United States Secretary of Transportation to adopt regulations to protect residents from the nuisance of train noise and not to allow trains to blow their horns in "quiet zone" areas, and we urge the Secretary to develop alternative safety measures to supplant the use of the horn, such as helping to fund grade crossings and footbridges; and be it further

RESOLVED, That the United States Secretary of Transportation should convene soon a meeting of residents, local elected officials, and the railroad to address these concerns of residents of the southwest side of Chicago and the south suburbs; and be it further

RESOLVED, That a suitable copy of this resolution be sent to the United States Secretary of Transportation and to each member of the Illinois congressional delegation.

#### **RESOLUTIONS CONSENT CALENDAR**

##### **SENATE RESOLUTION NO. 263**

Offered by Senator Karpel and all Senators:  
Mourns the death of Ellen Johnsen of St. Charles.

##### **SENATE RESOLUTION NO. 264**

Offered by Senator Shaw and all Senators:  
Mourns the death of Bernard Starks of Chicago.

##### **SENATE RESOLUTION NO. 265**

Offered by Senator Clayborne and all Senators:  
Mourns the death of Henry Louis Medley of East St. Louis.

##### **SENATE RESOLUTION NO. 266**

Offered by Senator Noland and all Senators:  
Mourns the death of Robert Gentry Noland of Pottstown.

##### **SENATE RESOLUTION NO. 267**

Offered by Senator Clayborne and all Senators:  
Mourns the death of Alice Grooms-Cobbs of East St. Louis.

##### **SENATE RESOLUTION NO. 268**

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Offered by Senator Clayborne and all Senators:  
Mourns the death of Mrs. Ilean Hickman of East St. Louis.

##### **SENATE RESOLUTION NO. 269**

Offered by Senator Clayborne and all Senators:  
Mourns the death of Clifford Hamblin of East St. Louis.

##### **SENATE RESOLUTION NO. 270**

Offered by Senator O'Malley and all Senators:

Mourns the death of Angela M. Dice of Palos Park.

**SENATE RESOLUTION NO. 271**

Offered by Senator Demuzio and all Senators:  
Mourns the death of Harl H. Ray of Springfield.

**SENATE RESOLUTION NO. 274**

Offered by Senator O'Malley and all Senators:  
Mourns the death of John D. Kettman of Palos Park.

Senator Geo-Karis moved the adoption of the foregoing resolutions.

The motion prevailed.

And the resolutions were adopted.

**PRESENTATION OF RESOLUTION**

Senator Weaver offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

**SENATE JOINT RESOLUTION NO. 52**

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, January 27, 2000, the Senate stands adjourned until Tuesday, February 1, 2000 at 12:00 o'clock noon; and the House of Representatives stands adjourned until Friday, January 28, 2000, in perfunctory session; and when it adjourns on that day, it stands adjourned until Monday, January 31, 2000, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, February 1, 2000, at 1:00 o'clock p.m.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

At the hour of 9:31 o'clock a.m., on motion of Senator Dudycz, and pursuant to **Senate Joint Resolution No. 52**, the Senate stood adjourned until Tuesday, February 1, 2000 at 12:00 o'clock noon.

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